

RV Special Exception and Air B & B Workshop

School Board Meeting Room
328 SE Hwy 349, Old Town, Florida 32680
October 20, 2022 – 5:00 PM

The Board meetings are audio recorded. The public can hear and participate in the meeting via conference call by dialing 1(917)900-1022 and enter code 32628.

COMMISSIONERS

Jody Stephenson, District 1
W. C. Mills, District 2, Vice Chairman via telephone
Mark Hatch, District 3
Jamie Storey, District 4, Chairman
James Valentine, District 5

STAFF

Duane Cannon, County Manager
Paul Gainey, Asst. County Manager
Martha McCaskill, Administrative Asst/Grant Coordinator
Chana Watson, County Attorney
Barbie Higginbotham, Clerk of Court
Verna Wilson, Chief Deputy Clerk
Della Rhymes, Asst. Chief Deputy Clerk

CALL TO ORDER

The Board Workshop was called to order at 5:00 PM by Commissioner Storey.

INVOCATION AND PLEDGE TO THE AMERICAN FLAG

The Invocation was led by Commissioner Valentine and the Pledge to the American Flag was led by Commissioner Hatch.

County Manager Duane Cannon appeared before the Board and informed everyone that tonight there will be discussion between the Board and the public about this process in open forum. He said they will talk about how LDR's are established and address public concern.

Building Official Leon Wright appeared before the Board and explained the process within the Building and Zoning Office. He said a person will come in the office and want to get a power pole for a camper. He said the staff looks up the zoning district of the person's property. He said the person fills out an application, they turn in a survey, septic tank permit and driveway. He said letters are mailed out to the neighbors within 100-foot radius, it's advertised in the local newspaper, the property is posted, and it goes before the Board for review.

He said the public can call the Building and Zoning Office with questions and concerns. He said the owner's phone number is posted on the property. He said if the Board approves the request a Resolution is passed, and the permit is issued. He said the public is limited to a 60-amp service power pole because this is not supposed to be a permanent living situation. He said there are some folks living in campers and RV's full time. He said that post cards for the \$300.00 renewal fee will be mailed annually. He said they mailed out 700 bills last year and only received 206 renewals last year.

Commissioner Storey asked what about the other 494 people and said this needs to be addressed by putting this on the taxes.

Mr. Wright said the Property Appraiser does not want to add this to their duties.

Mr. Wright said prior to 2020 there was not a mailing list for the renewal bills. He said they have researched back to 1993 and brought everything up to current. He said they have verified if there was a permanent structure with permit numbers on the property and they have found some non-permitted structures that are still being used today.

Mr. Wright informed the Board that they have shut the power off at one location because the mobile home had been repossessed and the property had been turned into a mini campground.

Mr. Wright expressed to the Board that the policy they are following today does work. He said the neighbors are notified, the property is posted, and the Board reviews the request and listens to the public support and protest and then decides. However, they don't have enough staff for the follow up to make sure everyone is doing what they are allowed to do.

Mr. Wright said the other issue is that they need to rescind the written requirement on the complaints because the neighbors want to remain anonymous. He said this written complaint is now required by the state.

Mr. Wright said that from January through the Spring is busy for Building and Zoning. He said they are slow during Thanksgiving and Christmas.

Mr. Ray Rizner from Suwannee spoke to the Board and said he fears the campers will reduce the tax base and this needs to stop.

Commissioner Stephenson said the recreational camper business in Suwannee keeps the water and sewer plant operational. He said this is not beneficial in other parts of the county.

Mr. Rizner said the campers are not paying the same taxes as homeowners.

Mr. Warren spoke to the Board and said he was approved for an RV Special Exception in 2020. He said he never got his renewal bill. He said he did come in and pay for the renewal at the office; however, he wonders if others never received their bill. He said he has a motor home and a pole barn in Old Town. He suggested the Board consider including everything on the tax bill.

Commissioner Stephenson said the county does not have the staff to police each location and some people are enclosing the pole barns to live in.

Mr. Wright said the public must go through the same process when applying for a pole barn variance. He said the current process is good for documentation and helps if a code enforcement case is pursued for violations.

County Attorney Chana Watson said on the legal side, you can't justify having a pole barn without a permit.

Commissioner Hatch said there is a difference between an engineered pole barn versus a non-engineered pole barn, according to FEMA.

Mr. Wright said that construction is changing with the times.

Ms. Virginia Sanchez spoke to the Board and stated that the county has lost \$148,000.00 in non-permitted renewals.

Ms. Holly Dyals spoke to the Board about her property in Suwannee. She said they paid \$4,800.000 and another \$1,500.00 for water, sewer, and power and \$1,000.00 for the impact fee. She asked why this is not considered an improvement. She suggested the Fire and Solid Waste Assessment be added to the cost of the RV Special Exception.

Commissioner Storey replied that is being changed.

Mr. Wright explained that prior to this year, if there was an RV Special Exception on those 700 properties when the Property Appraiser staff did a site visit, the property was assessed accordingly. He said the company that handled the assessments did not recognize this and it was dropped from the tax roll. He said therefore, the taxes did not get paid because it was assessed as vacant land. He said the county found out after the fact and these have since been added back to the tax roll.

Mr. Wright said the Property Appraiser did assess campers. He said that many non-permitted structures came to light because of this, and now Building and Zoning must look at 45 properties with structures.

Commissioner Hatch asked about returned mail.

Mr. Wright said many are due to incorrect addresses.

A lady from the audience suggested holding the contracted company accountable for the taxing error.

Commissioner Mills said the Board must come up with something fair for everyone. He said people do what they can afford to do.

Mr. Wright said that code enforcement must be quick to resolve issues before more arise.

Commissioner Mills said that when the person applies, they know that it is renewable. He said the Board should not have to remind them to pay the bill. He said there are consequences for the choices and actions of the people.

Commissioner Stephenson said he supports streamlining the process.

Mr. Wright informed everyone that this is a problem in other counties as well.

Commissioner Stephenson said there should be limited use for the RV's.

Mr. Wright said some specific legal language in an Ordinance would help to eliminate this. He said other counties are addressing these same issues.

Commissioner Hatch said the RV Special Exception renewal program is better than it was. He said that staff was instructed in the past to not look for issue because the complaints will come anyway. He said it is now time to change that. He agreed that specific language is needed for the RV Special Exceptions. He said these RV/Campers should be mobile.

Commissioner Stephenson said that Building and Zoning does not have the staff to handle more complaints.

Commissioner Hatch said they currently have a code enforcement issue with a property that has resulted in \$60,000.00 lien.

Code Enforcement Officer Steve Fremen informed the Board that he currently has 143 cases. He said that 67 are RV's and of these, seven (7) are legal. He suggested an Ordinance which stipulates no vacant property RV's are allowed and you can't use it for a storage shed either. He said this would help him because he would not have to research; if he sees it on the property, he knows it is illegal. He asked if having the Land Development Board would eliminate the need for a Magistrate.

Attorney Watson said she has spoken with the Magistrate and they are working on a hearing schedule.

Mr. Fremen said the LDR's should be addressed to avoid appeals.

Attorney Watson discussed her recommendation for the Board to start foreclosure proceedings on the property with the \$60,000.00 lien when it comes up for discussion in the Regular Board Meeting.

Mr. Fremen informed the Board there are several properties with Judgements on them which are accruing daily fines.

Commissioner Stephenson said the Land Development Board would eliminate a lot of discussion and time wasted by the Board.

Ms. Lori Hartman from Old Town spoke to the Board and asked why the Special Exception and Variance is tied to the land and not the person applying.

Mr. Wright explained that it is a land use item and not an ownership matter. He said the zoning maps, flood maps, and other maps dictate what is allowed and not allowed. He said permitted activities and special exception are listed by the parcel number of the property. He said you have the right to apply; however, it may or may not be approved.

Commissioner Stephenson said when the property is sold the new owner doesn't have to apply.

Mr. Wright said the land use item has been previously approved by the Board and is sold with the property. He said the Board has the final say on approving or denying these requests.

Chief Deputy Clerk Verna Wilson asked the Board if the renewal fee is not paid does the Special Exception or Variance go away and the next person will have to re-apply.

Mr. Wright said it is difficult to keep track of this due to staffing shortages.

Ms. Margaret Corbin spoke to the Board and said some people say they're going to build and never do.

Mr. Wright said there are two (2) campers next to Ms. Corbin. He said this is controversial and must go before the Magistrate. He said the original purchaser of the property put in two (2) septic tanks and a 200-amp power pole and then he divided the property. He said this should have become a non-buildable lot at that time.

Mr. Wright suggested the neighborhood start a Homeowner's Association (HOA). He clarified that Building and Zoning does not enforce deed restrictions.

Commissioner Mills said the violators have all the power. He said they should follow the same rules as others.

Mr. Wright said they write up the violation and turn it in to code enforcement.

Mr. Jeff Brown spoke to the Board and said he has been here since 2021. He said most of the violations are from the past and the new people are trying to do the right thing.

Commissioner Hatch said this workshop is to get more ideas for the program.

Mr. Lee Moyer spoke to the Board and said he is from Williston and he bought some property in Dixie. He said he has been saving up to do the next step. He said he went to get his driveway permit and was told the Board was no longer approving these. He asked if he could move forward with this process or not.

Commissioner Stephenson said that the driveway permit is a separate matter and he should have been able to get this.

Mr. Wright said he was told to stop taking payments.

Attorney Watson said this has been temporarily suspended and will be discussed more at the next workshop.

PUBLIC COMMENTS AND CONCERNS

There were no comments or concerns expressed at this time.

ADJOURN

Commissioner Hatch made the motion to adjourn at 6:33 PM. Commissioner Stephenson seconded. Board approved.

ATTEST:



Barbie Higginbotham
Barbie Higginbotham, Clerk-Auditor

BOARD OF COUNTY COMMISSIONERS
DIXIE COUNTY, FLORIDA

Jamie Storey

Jamie Storey, Chairman

PLEASE BE ADVISED that if a person decides to appeal any decision made by the Board with respect to any matter considered at such meeting or hearings, he/ she will need a record of the proceedings, and for such purpose, he/ she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

“Persons with disabilities requesting reasonable accommodations to participate in this proceeding should contact (352) 486-4931 (Voice & TDD) or via Florida Relay Service at (800) 955-8771.”

The Board meets the first Thursday of each month at 10:00 AM and the third Thursday of each month at 6:00 PM. Individuals that would like to be placed on the agenda should call Barbie Higginbotham, Clerk of Court, by 4:00 PM on the Friday Preceding the Board meeting, at (352) 498-1200.